

SENATE RECORD VOTE ANALYSIS

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1st Session

Vote No. 265

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INTERIOR APPROPRIATIONS/Lead-Zinc Mining Based on Science, Not Politics

SUBJECT: Department of the Interior and Related Agencies Appropriations Bill for fiscal year 2000 . . . H.R. 2466.
Bond amendment No. 1621.

ACTION: AMENDMENT AGREED TO, 54-44

SYNOPSIS: As amended by a committee substitute amendment, H.R. 2466, the Department of the Interior and Related Agencies Appropriations Bill for fiscal year 2000, will provide \$14.058 billion in new budget authority, which is \$239.9 million less than provided last year and \$1.208 billion less than requested.

The Bond amendment would earmark \$250,000 to be used to assess the potential hydrological and biological impact of lead and zinc mining in a particular section of Mark Twain National Forest of Southern Missouri where such mining is not currently underway. The amendment would also bar the Secretary of the Interior from using any of the funds from this Act to issue a prospecting permit for hardrock mineral exploration in Mark Twain National Forest except for where such mining is currently taking place or to withdraw any part of Mark Twain National Forest from multiple-use management. (Mark Twain National Forest covers 1.5 million acres. The forest is under multiple-use management, meaning that it is used for recreation, timber harvesting, mining, and other purposes. When the forest was created long-standing lead and zinc mining operations already existed in three of its sections. A typical mining operation uses less than 1,000 acres. The mines currently in Mark Twain National Forest produce 90 percent of the lead that is mined in the United States. The mines are expected to be depleted within 10 to 15 years. Another section of the forest may have commercial quantities of lead and zinc that may be mined. Before any mining activity may take place, all regulatory requirements to ensure that the environment is protected will have to be met, including a comprehensive environmental impact statement under the National Environmental Policy Act (NEPA) which will have to find that mining can be conducted safely. A multi-agency technical team (which includes the Forest Service, Park Service, Environmental Protection Agency, Geological Survey, Fish and Wildlife Service, Missouri Department of National Resources, the mining company, and the University of Missouri) has determined that there is a lack of scientific information available to assess the potential impacts of lead mining in this

(See other side)

YEAS (54)			NAYS (44)		NOT VOTING (2)	
Republicans (53 or 100%)	Democrats (1 or 2%)		Republicans (0 or 0%)	Democrats (44 or 98%)	Republicans (2)	Democrats (0)
Abraham	Helms	Byrd	Akaka	Kennedy	McCain- ²	
Allard	Hutchinson		Baucus	Kerrey	Murkowski- ²	
Ashcroft	Hutchison		Bayh	Kerry		
Bennett	Inhofe		Biden	Kohl		
Bond	Jeffords		Bingaman	Landrieu		
Brownback	Kyl		Boxer	Lautenberg		
Bunning	Lott		Breaux	Leahy		
Burns	Lugar		Bryan	Levin		
Campbell	Mack		Cleland	Lieberman		
Chafee	McConnell		Conrad	Lincoln		
Cochran	Nickles		Daschle	Mikulski		
Collins	Roberts		Dodd	Moynihan		
Coverdell	Roth		Dorgan	Murray		
Craig	Santorum		Durbin	Reed		
Crapo	Sessions		Edwards	Reid		
DeWine	Shelby		Feingold	Robb		
Domenici	Smith, Bob (I)		Feinstein	Rockefeller		
Enzi	Smith, Gordon		Graham	Sarbanes		
Fitzgerald	Snowe		Harkin	Schumer		
Frist	Specter		Hollings	Torricelli		
Gorton	Stevens		Inouye	Wellstone		
Gramm	Thomas		Johnson	Wyden		
Grams	Thompson					
Grassley	Thurmond					
Gregg	Voinovich					
Hagel	Warner					
Hatch						

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

new section of the National Forest, and, therefore, a comprehensive study should be conducted. The Sierra Club, an environmentalist group, has opposed finding out whether mining could be conducted in this new area. Interior Secretary Babbitt has indicated that he may withdraw this section from consideration for mining, even though there is no scientific basis for that withdrawal.)

Those favoring the amendment contended:

Sentence first, trial afterwards. If our colleagues favor that injustice then they should oppose this amendment to stop the Clinton Administration from deciding, without any scientific basis, that further lead and zinc mining in Mark Twain National Forest would be environmentally harmful. Lead and zinc have been mined in the forest for decades; in fact, the mines predate the designation of the forest. Those mines will soon be depleted. The forest covers 1.5 million acres; a mine typically covers less than 1,000 acres. There is one more section of the forest in which commercial quantities of lead and zinc may be found. The ongoing mining has not caused the destruction of this vast forest. However, that does not mean that mining in the new section can be conducted in an environmentally safe manner. Different site characteristics may make it unsafe. We do not have an answer to any of the environmental questions. The company involved does not want us to ask the questions. It does not want to have to wait for an environmental impact statement (EIS) to be completed because that process takes years or, with court challenges, decades to complete. On the other side, environmentalists do not want to allow an EIS because they are afraid that an EIS will find that it is safe to mine in the area. Safe or not, environmentalists do not want to permit any mining. They are not interested in what the scientists may have to say--they have already decided they oppose mining, and their minds are closed to any objective proof that may be found that shows that their subjective opinion is wrong. In the middle, we have scientists within the Government and without who say that we just do not know whether mining is safe in this particular area. They say that we ought to pay for an EIS to find out. Meanwhile, no action should be taken to advance mining, as favored by the company, nor should any action be taken to rule out mining, as favored by environmentalists.

The Bond amendment would follow that middle ground precisely. First, it would provide funding to find out if mining would be safe. If, in a few years, the answer turned out to be that it would not, then mining would not and should not be approved. Unfortunately, shortly thereafter, when the existing mines were depleted and closed, the United States would lose 90 percent of its domestic supply of lead. The company involved would still be in business--it has holdings around the world--but 1,800 miners in the United States would lose their jobs. Next, the Bond amendment would prohibit any type of mining exploratory activity outside of the areas where mining is currently ongoing. Third, the Bond amendment would prohibit the Secretary of the Interior from withdrawing from multiple use management the area that may have commercial quantities of lead and zinc.

Secretary Babbitt is under great political pressure from environmental extremists to withdraw this land, and he has indicated that he may, even though experts in the Forest Service, Park Service, Environmental Protection Agency, Geological Survey, and the Fish and Wildlife Service have recommended making the decision based on science rather than politics. We urge our colleagues not to make this decision on politics. Ending mining in this forest will destroy several rural communities that have revolved around this activity for decades. If mining can be conducted without harming the environment, we feel those communities deserve to engage in that mining and to survive. With the Bond amendment, all we are asking is that we find out, based on science rather than politics, whether mining would be environmentally safe in this area. We urge our colleagues to support this amendment.

Those opposing the amendment contended:

Mark Twain National Forest is a national treasure which is enjoyed by thousands of people from around the country, particularly from a several-State area around the forest. Our colleagues want to despoil this pristine wilderness with ugly lead and zinc mines. Such mines would ruin the forest's aesthetic beauty and could cause massive environmental harm if the tons of toxic waste that would be produced leaked into the environment. We are particularly concerned by this mining proposal, because it is for mining that is very close to a scenic watershed area, which means that any pollutants that leaked could spread through the water over a vast, beautiful area and cause tremendous damage to the environment. We should not take that chance. Environmental groups, the Governor of Missouri, and many editors of large newspapers in Missouri believe that Secretary Babbitt ought to withdraw this forest land from multiple-use management, as is his right under law, in order to make sure that mining is never allowed in this area. The purpose of this amendment is to stop Secretary Babbitt from exercising that legal authority. In effect, this amendment is legislation on an appropriations bill, even if it is technically worded to make it an appropriations issue. We should not legislate on an appropriations bill in an effort to despoil wilderness areas with toxic mining sites. We therefore strongly oppose this amendment.